

about October 2010, ARON CHERVIN, ROBERT TERDJANIAN, a/k/a "Robik, a/k/a "Oleg Kamarine," a/k/a "Robert Vovk," VYACHESLAV DOBRER, a/k/a "Slava," HAROLD PINA, ROSS KUFLIK, MICHAEL LAMOND, VADIM CHERVIN, a/k/a "Vadik," GALINA VOVK, a/k/a "Valentina Babucea," VALIANTSINA LAHUN, LYNN BRAUNSTEIN, WILLIAM GIBBS, YURI ZELINSKY, LUBA GODIN, JUDSON DARIO JUST, BEAGY FRANCOIS, NATAN PEYSAKOV, and MILANA NIKHMAN, the defendants, and others not named herein, conspired to systematically defraud no-fault insurance carriers by submitting fraudulent claims for medical services and equipment. As set forth in greater detail below, these criminal activities have generated millions of dollars in false billing for the members of the conspiracy. For example, in the period from June 24, 2010 through August 31, 2010 alone, one entity used by the conspiracy, Total Body Medical Diagnostics, sold fraudulent billings that exceeded \$2.3 million.

Background

2. At all times relevant to this Indictment, under New York State law, automobile owners were required to purchase a no-fault insurance plan. No-fault insurance coverage enabled the driver and passengers of a vehicle registered and insured in New York State to obtain benefits of up to \$50,000 per person for injuries sustained in an automobile accident, regardless of fault. By design, no fault insurance plans allowed prompt payment of medical bills associated with automobile accidents, typically at fixed rates, without the need for protracted litigation.

3. In addition to the provision of medical services, such as the treatment by physicians and other medical professions, no-fault insurance coverage also included payments for durable medical equipment ("DME"). DME included medical equipment, such as wheelchairs, cervical collars, and heating pads, that could sustain repeated use. Because the insurance companies typically compensated the medical practitioners at a fixed rate for various medical services to treat these accident victims, New York State regulations permitted DME suppliers to charge insurance companies only 150% of the wholesale price actually paid for the equipment by the DME supplier. Thus, in order to submit a claim, the retail provider of the DME was required to submit an invoice documenting the equipment's wholesale price.

4. At all times relevant to this Indictment, and in order to facilitate the payment of the medical bills, no-fault insurance plans permitted an individual injured in an automobile accident to assign his or her benefits under the plan to the medical practitioners who provided services to that person, by completing an appropriate form. This assignment of benefits allowed those medical practitioners to bill the insurance company and to receive payment directly for costs incurred in treating the injured individual.

The Scheme To Defraud

5. From at least in or about 2000, up through and

including in or about October 2010, ARON CHERVIN, ROBERT TERDJANIAN, a/k/a "Robik, a/k/a "Oleg Kamarine," a/k/a "Robert Vovk," VYACHESLAV DOBRER, a/k/a "Slava," HAROLD PINA, ROSS KUFLIK, MICHAEL LAMOND, VADIM CHERVIN, a/k/a "Vadik," GALINA VOVK, a/k/a "Valentina Babucea," VALIANTSINA LAHUN, LYNN BRAUNSTEIN, WILLIAM GIBBS, YURI ZELINSKY, LUBA GODIN, JUDSON DARIO JUST, BEAGY FRANCOIS, NATAN PEYSAKOV, and MILANA NIKHMAN, the defendants, and others not named herein, systematically defrauded the no-fault insurance system through a sophisticated scheme involving, among others, corrupt doctors, financiers, and lawyers.

6. As explained below, the scheme involved billing no-fault insurance companies for the provision of medical services and/or durable medical equipment ("DME") that were medically unnecessary and/or were never even provided. In some instances, actual accident victims were recruited to participate in the fraud, and in still other cases, accidents were staged or exaggerated to generate "patients" who were part of the scheme. Members of the conspiracy also included hospital insiders, who illegally sold confidential patient information in violation of the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") privacy rules.

7. In furtherance of the scheme to defraud, the recruited patients were referred to fraudulent clinics operated by the organizers of the scheme. There, doctors who participated in the scheme submitted, caused others to submit, and substantiated

false medical claims, including claims for unnecessary medical treatment and DME. Further, the members of the conspiracy utilized lawyers, who were themselves part of the conspiracy, to represent the purported accident victims to further generate false claims, to facilitate the payment of such claims, and to prevent insurance companies from detecting the ongoing fraud.

A. The Organizers Of The Scheme

8. ARON CHERVIN and ROBERT TERDJANIAN, a/k/a "Robik, a/k/a "Oleg Kamarine," a/k/a "Robert Vovk," the defendants, operated their scheme in furtherance of, and to generate income for, the Mirzoyan-Terdjanian racketeering enterprise, as that enterprise is defined in United States v. Armen Kazarian a/k/a "Pzo, a/k/a "gerop", et al., 10 Cr. 895.

9. In furtherance of the scheme to defraud, ARON CHERVIN and ROBERT TERDJANIAN, a/k/a "Robik, a/k/a "Oleg Kamarine," a/k/a "Robert Vovk," the defendants, created shell companies purportedly responsible for supplying durable medical equipment, but which in fact operated solely to facilitate the fraud. For example, in or about November 2009, ARON CHERVIN and TERDJANIAN established a durable medical equipment company called AVR Medical Supplies ("AVR"). They were assisted in this by MILANA NIKHMAN, the defendant. Other members of the conspiracy provided patient identities and/or fraudulent prescriptions for DME for the patients recruited to participate in the scheme. This information was then used to submit hundreds of thousands of

dollars in fraudulent claims to no-fault insurance carriers. AVR's bank account was opened in the name "Valentina Babucea," an alias used by TERDJANIAN's wife, GALINA VOVK, the defendant, and using the home address of TERDJANIAN's parents.

10. To execute the scheme to defraud, CHERVIN and TERDJANIAN purchased DME from a Chinese importer, and then created fake wholesale invoices in the name of Telya Corporation, another shell company controlled by TERDJANIAN that had no actual business purpose other than its role in the fraud. These fake invoices substantially inflated the true cost of the DME purchased for use by AVR. AVR then submitted the fraudulent invoices from Telya Corporation to obtain reimbursement of 150% of the inflated cost of the DME to the insurance companies, thereby increasing the profits to the members of the conspiracy from the scheme. The AVR invoices were submitted to the insurance companies through the law firm employing MICHAEL LAMOND, and VADIM CHERVIN, a/k/a "Vadik," the defendants (the "Law Office"). In order to further provide a veneer of legitimacy to its operations, AVR actually provided sets of DME to patients. In fact, however, AVR dispensed standard sets of DME equipment to the patients that were assembled without reference to the particular medical needs of the patients.

11. Also in furtherance of the scheme, and in addition to the scheme to submit fraudulent bills for DME, for at least the past decade, ARON CHERVIN, VYACHESLAV DOBRER, a/k/a "Slava," LUBA GODIN and YURI ZELINSKY, the defendants, and others, organized and

operated a crew of individuals that varied over time -- including corrupt patients, doctors, lawyers, financiers and others -- to manufacture claims for medical tests and doctor visits, purportedly to treat automobile accident injuries, that were then submitted to insurance companies under their no-fault insurance plans.

12. In order to perpetrate the fraud successfully, the members of the conspiracy utilized a group of close associates and family members. For example:

a. GALINA VOVK, a/k/a "Valentina Babucea," the defendant, the wife of ROBERT TERDJANIAN, the defendant, helped launder fraud proceeds by using an alias to request checks from a bank employee on a bank account that had been opened in the name of a shell company.

b. VALIANTSINA LAHUN, the defendant, who was associated with ARON CHERVIN, the defendant, delivered medical testing equipment and documents related to the fraud.

c. BEAGY FRANCOIS, the defendant, was directed by CHERVIN to organize and arrange patient visits, place patients with doctors and lawyers, and monitor patients to ensure their attendance at doctor appointments that had no medical purpose other than to further the fraud.

B. Patient Recruitment

13. In furtherance of the scheme, members of the conspiracy identified and recruited individuals who were in car

accidents to serve as patients. Among other ways, they did this by paying hospital employees to provide personal identifying information about recent accident victims.

14. For example, in April and May 2010, ARON CHERVIN, the defendant, paid bribes to MARTA ROMAN, the defendant, an emergency room employee at Lutheran Medical Center in Brooklyn, New York, in order to induce ROMAN to disclose the names of accident victims who visited the Lutheran Medical Center emergency room.

15. At times, ARON CHERVIN, the defendant, called those patients who had been treated at Lutheran Medical Center and falsely claimed to have a legitimate relationship with Lutheran Medical Center in order to induce those patients into joining the scheme. For example, in or about August 2010, a van transporting a group of exotic dancers had an accident. CHERVIN called one of the accident victims, K.Z., and claimed to work with Lutheran Hospital to help accident victims find lawyers and doctors. In addition to offering to help K.Z., CHERVIN promised to pay K.Z. two hundred to three hundred dollars for each additional victim she could recruit from among the other passengers in the van.

C. The Use Of Corrupt Doctors

16. In furtherance of the scheme to defraud, members of the conspiracy recruited and utilized the services of corrupt doctors who intentionally subjected patients to unnecessary medical examinations and treatments to increase the fraudulent billings, and thereby the profits, for the scheme. For example, with the help of HAROLD PINA, the defendant, the conspirators recruited a physician, LYNN BRAUNSTEIN, the defendant, to conduct unnecessary neurological testing on purported accident victims in or about March 2010. The testing was not necessary to diagnose or treat any medical problems, but was done in order to substantiate fraudulent billings to carriers of no-fault insurance policies.

17. Members of the conspiracy also paid doctors to create medical professional corporations so that the fraudulent billing could be submitted in the name of entities that were nominally controlled by a medical professional. At all times relevant to this Indictment, however, New York State law prohibited medical professionals from sharing the fees for medical services with a non-medical business or non-medical professional.

18. For example, in or about early 2010, ARON CHERVIN and VYACHESLAV DOBRER, a/k/a "Slava," the defendants, recruited a physician, WILLIAM GIBBS, the defendant, to associate himself with a medical professional corporation called Total Body Medical Diagnostics.

D. The Clinic Managers

19. In furtherance of the scheme to defraud, the members of the conspiracy also selected medical clinics to provide the fraudulent and unnecessary treatments ordered by the corrupt physicians for the purported patients who participated in the scheme. JUDSON DARIO JUST and NATAN PEYSAKOV, the defendants, and others not named herein, managed these medical clinics to maximize the inflated medical billings that were submitted to insurance companies. At times these clinics provided their own medical professionals who acted with knowledge of the scheme. At other times, ARON CHERVIN, VYACHESLAV DOBRER, a/k/a "Slava," and LUBA GODIN, the defendants, sent doctors who had been recruited to participate in the scheme to work in the space operated by the corrupt medical clinics.

E. The Financiers

20. ARON CHERVIN, VYACHESLAV DOBRER, a/k/a "Slava," and LUBA GODIN, the defendants, and others funded their criminal operations by factoring the fraudulently-obtained receivables, which were a product of the unnecessary medical treatment and procedures; that is, they sold the receivables to investors. For example, ROSS KUFLIK, the defendant, represented a group of investors who purchased fraudulent receivables. KUFLIK understood that the bills being purchased by the financiers were fraudulently inflated.

F. The Use Of The Law Office And Corrupt Lawyers

21. In furtherance of the scheme and to shield the participants in the scheme from scrutiny, the members of the conspiracy utilized the services of corrupt lawyers and at least one other person working at the Law Office, including MICHAEL LAMOND and VADIM CHERVIN, a/k/a "Vadik," the defendants. LAMOND is an attorney admitted to the bar of the State of New York and was an expert in the submission of no fault insurance claims. VADIM CHERVIN, the son of ARON CHERVIN, the defendant, worked at the law office that employed LAMOND. VADIM CHERVIN regularly consulted with LAMOND to manipulate the billings generated through the scheme so that the fraudulent billings were less likely to attract unwanted scrutiny from insurance carriers and more likely to be paid without further investigation.

22. MICHAEL LAMOND, the defendant, also permitted ARON CHERVIN and VYACHESLAV DOBRER, a/k/a "Slava," the defendants, to use his attorney escrow account to receive monies from financiers who purchased receivables from insurance companies that paid fraudulent claims. By using his escrow account, LAMOND helped shield the fact that CHERVIN, DOBRER, and ROSS KUFLIK, the defendants, and others received the insurance payments, rather than the relevant medical corporation.

23. The members of the conspiracy also selected and employed other lawyers not named herein to represent accident victims or claimants because these lawyers are experts on how to

coach the victims and claimants to maximize insurance claims related to automobile accidents through fraud.

Statutory Allegations

24. From in or about at least November 2009, through and including in or about October 2010, in the Southern District of New York and elsewhere, ARON CHERVIN, ROBERT TERDJANIAN, a/k/a "Robik, a/k/a "Oleg Kamarine," a/k/a "Robert Vovk," VYACHESLAV DOBRER, a/k/a "Slava," HAROLD PINA, ROSS KUFLIK, MICHAEL LAMOND, VADIM CHERVIN, a/k/a "Vadik," GALINA VOVK, a/k/a "Valentina Babucea," VALIANTSINA LAHUN, LYNN BRAUNSTEIN, WILLIAM GIBBS, YURI ZELINSKY, LUBA GODIN, JUDSON DARIO JUST, BEAGY FRANCOIS, NATAN PEYSAKOV, and MILANA NIKHMAN, the defendants, and others known and unknown, unlawfully, willfully and knowingly combined, conspired, confederated and agreed together and with each other to violate Title 18, United States Code, Section 1341 and 1347.

25. It was a part and an object of the conspiracy that ARON CHERVIN, ROBERT TERDJANIAN, a/k/a "Robik, a/k/a "Oleg Kamarine," a/k/a "Robert Vovk," VYACHESLAV DOBRER, a/k/a "Slava," HAROLD PINA, ROSS KUFLIK, MICHAEL LAMOND, VADIM CHERVIN, a/k/a "Vadik," GALINA VOVK, a/k/a "Valentina Babucea," VALIANTSINA LAHUN, LYNN BRAUNSTEIN, WILLIAM GIBBS, YURI ZELINSKY, LUBA GODIN, JUDSON DARIO JUST, BEAGY FRANCOIS, NATAN PEYSAKOV, and MILANA NIKHMAN, the defendants, and others known and unknown, unlawfully, willfully, and knowingly, having devised and intending to devise a

scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, for the purpose of executing such scheme and artifice and attempting so to do, would and did place in a post office and authorized depository for mail matter, a matter and thing to be sent and delivered by the Postal Service, and would and did deposit and cause to be deposited a matter and thing to be sent and delivered by a private and commercial interstate carrier, and would and did take and receive therefrom, a matter and thing, and would and did knowingly cause to be delivered by mail and such carrier according to the direction thereon, and at the place at which it is directed to be delivered by the person to whom it is addressed, a matter and thing, in violation of Title 18, United States Code, Section 1341.

26. It was a further part and object of the conspiracy that ARON CHERVIN, ROBERT TERDJANIAN, a/k/a "Robik, a/k/a "Oleg Kamarine," a/k/a "Robert Vovk," VYACHESLAV DOBRER, a/k/a "Slava," HAROLD PINA, ROSS KUFLIK, MICHAEL LAMOND, VADIM CHERVIN, a/k/a "Vadik," GALINA VOVK, a/k/a "Valentina Babucea," VALIANTSINA LAHUN, LYNN BRAUNSTEIN, WILLIAM GIBBS, YURI ZELINSKY, LUBA GODIN, JUDSON DARIO JUST, BEAGY FRANCOIS, NATAN PEYSAKOV, and MILANA NIKHMAN, the defendants, and others known and unknown, unlawfully, willfully, and knowingly, would and did execute, and attempt to execute, a scheme and artifice to defraud a health care benefit program and to obtain, by means of false and fraudulent pretenses,

representations, and promises, any of the money and property owned by, and under the custody and control of, a health care benefit program, in connection with the delivery of and payment for health care benefits, items, and services, in violation of Title 18, United States Code, Section 1347.

Overt Acts

27. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about November 2009, ROBERT TERDJANIAN, a/k/a "Robik, a/k/a "Oleg Kamarine, a/k/a "Robert Vovk," ARON CHERVIN, and MILANA NIKHMAN, the defendants, and others helped establish AVR as a New York corporate entity in order to utilize the entity in connection with the submission of fraudulent claims for DME to no-fault insurance carriers.

b. In or about May 2010, HAROLD PINA and ARON CHERVIN, the defendants, and others recruited a physician, LYNN BRAUNSTEIN, the defendant, to engage in fraudulent medical tests at medical facilities located in the Southern District of New York and elsewhere and that were submitted to no-fault insurance carriers in order to substantiate fraudulent billings.

c. In or about May 2010, JUDSON DARIO JUST, the defendant, accepted sets of DME from ARON CHERVIN and provided them to patients at a clinic JUST managed even though the sets of DME were not adjusted to reflect actual patient needs and were

therefore not medically necessary.

d. On or about May 15, 2010, LUBA GODIN, the defendant, instructed ARON CHERVIN about the documentation that LYNN BRAUNSTEIN should complete in connection with the preparation of fraudulent medical tests billed to no-fault insurance carriers.

e. On or about May 19, 2010, VALIANTSINA LAHUN, the defendant, delivered needles necessary for neurological testing to BRAUNSTEIN.

f. On or about May 21, 2010, MICHAEL LAMOND, VADIM CHERVIN, a/k/a "Vadik," and ARON CHERVIN, the defendants, agreed to submit fraudulent bills to carriers of no-fault insurance companies.

g. On or about May 24, 2010, YURI ZELINSKY, the defendant, recommended a doctor to ARON CHERVIN to facilitate fraudulent no-fault insurance claims.

h. On or about May 24, 2010, NATAN PEYSAKHOV, the defendant, recommended a doctor to ARON CHERVIN to facilitate fraudulent no-fault insurance claims.

i. On or about September 2010, WILLIAM GIBBS, the defendant, agreed to meet with representatives of a victim insurance company in order to falsely claim that he was supervising the activities of Total Body Diagnostics.

j. On or about July 12, 2010, VYACHESLAV DOBRER, a/k/a "Slava," the defendant, directed ARON CHERVIN not to use a particular technician because the technician would attract law

enforcement scrutiny.

k. On or about July 12, 2010, GALINA VOVK, a/k/a "Valentina Babucea," the defendant, agreed to deliver an order for sets of DME supplies to her husband, ROBERT TERDJANIAN.

l. In or about August 2010, ROSS KUFLIK and ARON CHERVIN, the defendants, organized a meeting in Florida to negotiate funding through factoring of receivables for Total Body Diagnostics.

m. On or about August 3, 2010, BEAGY FRANCOIS, the defendant, agreed to identify a new doctor for a patient who would order an MRI for the patient.

(Title 18, United States Code, Section 1349.)

COUNT TWO

(Conspiracy To Sell Confidential Patient Information)

The Grand Jury further charges:

28. From in or about at least February 2010, through and including in or about September 2010, in the Southern District of New York and elsewhere, ARON CHERVIN, MARTA ROMAN, and BEAGY FRANCOIS, the defendants, and others known and unknown, unlawfully, willfully and knowingly combined, conspired, confederated and agreed together and with each other to violate Title 42, United States Code, Section 1320d-6(a) and (b)(3).

29. It was a part and an object of the conspiracy that ARON CHERVIN, MARTA ROMAN, and BEAGY FRANCOIS, the defendants, and

others known and unknown, unlawfully, willfully, and knowingly, in violation of and for a reason other than permitted by Title 42, United States Code, Chapter 7, Subchapter XI, Part C, would and did obtain individually identifiable health information relating to an individual, and would and did disclose individually identifiable health information to another person, with the intent to sell, transfer, and use individually identifiable health information for commercial advantage, personal gain, and malicious harm, in violation of Title 42, United States Code, Section 1320d-6(a) and (b)(3).

Overt Acts

30. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about May 21, 2010, while in the Southern District of New York, ARON CHERVIN, the defendant, arranged a meeting with and traveled to meet with MARTA ROMAN, the defendant, in furtherance of the sale of patient names that ROMAN obtained from her employer, Lutheran Medical Center.

b. On or about August 16, 2010, ARON CHERVIN, the defendant, sent four pages of patient names, including "C.Q.," that he had received from MARTA ROMAN, the defendant, to BEAGY FRANCOIS, the defendant.

(Title 18, United States Code, Section 371.)

COUNT THREE

(Conspiracy To Commit Money Laundering)

The Grand Jury further charges:

31. From in or about at least November 2009, through and including in or about September 2010, in the Southern District of New York and elsewhere, ARON CHERVIN, ROBERT TERDJANIAN, a/k/a "Robik, a/k/a "Oleg Kamarine," a/k/a "Robert Vovk," VYACHESLAV DOBRER, a/k/a "Slava," MICHAEL LAMOND, GALINA VOVK, a/k/a "Valentina Babucea," LUBA GODIN, and WILLIAM GIBBS, the defendants, and others known and unknown, unlawfully, willfully and knowingly combined, conspired, confederated and agreed together and with each other to violate Title 18, United States Code, Section 1956(a)(1)(A)(i) and 1956(a)(1)(B)(i).

32. It was a part and an object of the conspiracy that ARON CHERVIN, ROBERT TERDJANIAN, a/k/a "Robik, a/k/a "Oleg Kamarine," a/k/a "Robert Vovk," VYACHESLAV DOBRER, a/k/a "Slava," MICHAEL LAMOND, GALINA VOVK, a/k/a "Valentina Babucea," LUBA GODIN, and WILLIAM GIBBS, the defendants, and others known and unknown, unlawfully, willfully, and knowingly, knowing that the property involved in a financial transaction represents the proceeds of some form of unlawful activity, conducted and attempted to conduct a financial transaction which in fact involved the proceeds of specified unlawful activity with the intent to promote the carrying on of specified unlawful activity

and knowing that the transaction is designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(A)(i) and (a)(1)(B)(i).

Overt Acts

33. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about January 11, 2010, GALINA VOVK, a/k/a "Valentina Babucea," the defendant, identified herself as "Valentina Babucea" to a representative of Chase Bank in order to obtain blank checks for an AVR bank account.

b. In or about 2010, WILLIAM GIBBS, the defendant, agreed to the use of his name as the principal of Total Body Medical Diagnostics.

c. On or about April 13, 2010, ROBERT TERDJANIAN, the defendant, deposited a check in the amount of \$7,970.80 that was written on a bank account held in the name AVR into a bank account held in the name of Telya Corporation.

d. From on or about July 1, 2010 thorough on or about August 6, 2010, VYACHESLAV DOBRER, a/k/a "Slava," the defendant, deposited checks totaling over \$56,000 that were written on a bank account held in the name of Total Body Medical Diagnostics and deposited in a bank account held in the name of

Slava Marketing.

e. From on or about July 1, 2010 thorough on or about July 23, 2010, LUBA GODIN, the defendant, deposited checks totaling over \$20,500 that were written on a bank account held in the name of Total Body Medical Diagnostics bank account into a bank account held in the name of Luba Billings.

f. In or about August 2010, MICHAEL LAMOND, the defendant, wrote ARON CHERVIN, the defendant, approximately 5 checks in different amounts all payable to Total Body Medical Diagnostics.

g. On or about August 16, 2010, the Total Body Medical Diagnostics bank account was used to write a check, signed in the name WILLIAM GIBBS, to a co-conspirator which was deposited in a bank account at Signature Bank, New York, New York.

(Title 18, United States Code, Section 1956(h).)

Forfeiture Allegation As to Count One

(Mail Fraud and Health Care Fraud Conspiracy)

34. As a result of committing the mail fraud and health care fraud conspiracy offense charged in Count One of this Indictment, in violation of Title 18, United States Code, Section 1349, ARON CHERVIN, ROBERT TERDJANIAN, a/k/a "Robik, a/k/a "Oleg Kamarine," a/k/a "Robert Vovk," VYACHESLAV DOBRER, a/k/a "Slava," HAROLD PINA, ROSS KUFLIK, MICHAEL LAMOND, VADIM CHERVIN, a/k/a "Vadik," GALINA VOVK, a/k/a "Valentina Babucea," VALIANTSINA

LAHUN, LYNN BRAUNSTEIN, WILLIAM GIBBS, YURI ZELINSKY, LUBA GODIN, JUDSON DARIO JUST, BEAGY FRANCOIS, NATAN PEYSAKOV, and MILANA NIKHMAN, the defendants, pursuant to Title 18, United States Code, Section 982(a)(7), shall forfeit all property, real and personal, that constitutes or is derived, directly and indirectly, from gross proceeds traceable to the commission of the offense charged in Count One of this Indictment, including but not limited to the following:

- a. At least 2.3 million in United States currency, in that such sum in aggregate is property representing the amount of proceeds obtained as a result of the offense.
- b. 36 Lake Drive, N. Brunswick, NJ.
- c. 420 Riverdale Drive, Glendale, CA.
- d. Parcel of Land, Parcel # 22801-070-069, Campsite Lot #403, Section E5, Eagle Lake Covington Township, Lackawanna County, PA.

Substitute Asset Provision

35. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the

court;

d. has been substantially diminished in value; or

e. has been commingled with other property which

cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to Title 18, United States Code, Section 982(b), Title 21, United States Code, Section 853(p), and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the said defendants up to the value of the forfeitable property, including but not limited to the following:

a. 36 Lake Drive, N. Brunswick, NJ.

b. 420 Riverdale Drive, Glendale, CA.

c. Parcel of Land, Parcel # 22801-070-069,
Campsite Lot #403, Section E5, Eagle Lake
Covington Township, Lackawanna County, PA.

(Title 18, United States Code, Section 982; Title 21, United States Code, Section 853; and Title 28, United States Code, Section 2461.)

Forfeiture Allegation As to Count Three

(Money Laundering Conspiracy)

36. As a result of committing the money laundering conspiracy offense charged in Count Three of this Indictment, in violation of Title 18, United States Code, Section 1956(h), ARON CHERVIN, ROBERT TERDJANIAN, a/k/a "Robik, a/k/a "Oleg Kamarine," a/k/a "Robert Vovk," VYACHESLAV DOBRER, a/k/a "Slava," MICHAEL

LAMOND, GALINA VOVK, a/k/a "Valentina Babucea," LUBA GODIN, and WILLIAM GIBBS, the defendants, pursuant to Title 18, United States Code, 982(a)(1), shall forfeit to the United States of America any property, real and personal, involved in such offense, and any property traceable to such property, including but not limited to the following:

- a. At least \$2.3 million in United States currency, in that such sum in aggregate is property representing the property involved in the offense, and traceable to such property
- b. 36 Lake Drive, N. Brunswick, NJ.
- c. 420 Riverdale Drive, Glendale, CA.
- d. Parcel of Land, Parcel # 22801-070-069, Campsite Lot #403, Section E5, Eagle Lake Covington Township, Lackawanna County, PA.

Substitute Asset Provision


37. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or

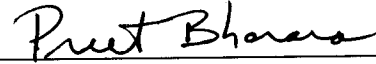
e. has been commingled with other property which cannot be subdivided without difficulty;
it is the intention of the United States, pursuant to Title 18, United States Code, Section 982(b), Title 21, United States Code, Section 853(p), and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the said defendants up to the value of the forfeitable property, including but not limited to the following:

- a. 36 Lake Drive, N. Brunswick, NJ.
- b. 420 Riverdale Drive, Glendale, CA.
- c. Parcel of Land, Parcel # 22801-070-069,
Campsite Lot #403, Section E5, Eagle Lake
Covington Township, Lackawanna County, PA.

(Title 18, United States Code, Section 982;
Title 21, United States Code, Section 853; and Title 28, United
States Code, Section 2461.)



FOREPERSON



PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v -

ARON CHERVIN, ROBERT TERDJANIAN, a/k/a
"Robik, a/k/a "Oleg Kamarine,
a/k/a "Robert Vovk," VYACHESLAV DOBRER
a/k/a "Slava," HAROLD PINA, ROSS KUFLIK,
MICHAEL LAMOND, VADIM CHERVIN, a/k/a
"Vadik," GALINA VOVK a/k/a "Valentina
Babucea," VALIANTSINA LAHUN, LYNN
BRAUNSTEIN, WILLIAM GIBBS, YURI ZELINSKY,
LUBA GODIN, JUDSON DARIO JUST, BEAGY
FRANCOIS, NATAN PEYSAKOV, MARTA ROMAN,
MILANA NIKHMAN,

Defendants.

INDICTMENT

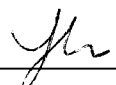
10 Cr.

18 U.S.C. §§ 371, 1349, 1956(h)

PREET BHARARA

United States Attorney.

A TRUE BILL



Foreperson.

10-7-10
WJ

Filed Indictment A/U's issued.
Under Seal

Pitman
U.S.M.J